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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 15, 2000

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUE990349

Ex Parte: In the matter concerning the  
participation of incumbent electric utilities  
in regional transmission entities

ORDER FOR ADDITIONAL NOTICE

On January 11, 2000, the Commission issued its Order Prescribing Notice and Inviting Comments concerning its proposed Regulations Governing Transfers of Transmission Assets to Regional Transmission Entities. Sections 56-577 and -579 of the Virginia Electric Utility Restructuring Act, Chapter 23 (§ 56-576 et seq.) of Title 56 ("the Act") directs the Commission to promulgate regulations regarding transfers of such assets. In the January 11, 2000, Order, we directed that notice of the proceeding be published in newspapers having general circulation throughout the Commonwealth.

Service of the January 11, 2000, Order by first-class mail on all jurisdictional utilities, the Office of Attorney General's Division of Consumer Counsel, and other interested parties, as well as notice published in The Virginia Register of Regulations, provided extensive notice of this proceeding. The Commission has discovered, however, that notice of the proceeding was not published in newspapers of general circulation throughout the Commonwealth.

We have received comments on the proposed Regulations Governing Transfers of Transmission Assets to Regional Transmission Entities in response to our January 11 Order.

Thereafter, on March 16, 2000, the Commission issued an additional Order requesting briefs from parties filing such comments concerning certain legal issues. Briefs were to be filed on or before April 5, 2000.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion that additional notice of this proceeding should be published in newspapers of general circulation throughout the state. We will permit any party who has not appeared in this proceeding or was not on the service list of our January 11, 2000 Order and who desires to file comments or request further hearing to do so by July 5, 2000. Any request for further hearing must be accompanied by comments clearly explaining why the issues raised within previously filed comments cannot be accommodated by our consideration of the comments and pleadings filed in this matter.

Accordingly, IT IS ORDERED THAT:

(1) On or before July 5, 2000, any interested party not having either already noted an appearance in this proceeding or been included on the service list of the January 11, 2000, Order Prescribing Notice and Inviting Comments may file with the Clerk of the Commission an original and fifteen (15) copies of comments on the proposed Regulations Governing Transfers of Transmission Assets to Regional Transmission Entities, or request a hearing. Any request for further hearing should state with specificity the issues proposed to be addressed at such hearing and the evidence expected to be offered therein, and should explain why the issues raised cannot be accommodated by our consideration of the pleadings.

(2) On or before June 22, 2000, the Commission's Division of Information Resources shall cause a copy of the following notice to be published in newspapers having general circulation throughout the state:

NOTICE OF PROPOSED REGULATIONS GOVERNING  
TRANSFERS OF TRANSMISSION ASSETS TO REGIONAL  
TRANSMISSION ENTITIES.

CASE NO. PUE990349

On January 11, 2000, the State Corporation Commission ("Commission") entered an Order Prescribing Notice and Inviting Comments concerning proposed Regulations Governing Transfers of Transmission Assets to Regional Transmission Entities (RTE). Specifically, the Virginia Electric Utility Restructuring Act ("The Act") in §§ 56-577 and 56-579 of the Code of Virginia requires the Commission to establish, by regulation, the elements of RTEs essential to the public interest. The Act also directs the Commission to establish regulations governing the transfer of the ownership or control of incumbent electric utilities' transmission assets to RTEs.

Notice of this proceeding was to have been published in newspapers of general circulation throughout the state. By service of the January 11, 2000, Order by first-class mail on all jurisdictional utilities, the Office of Attorney General's Division of Consumer Counsel, and other interested parties, and by notice published in The Virginia Register of Regulations, extensive notice of this proceeding was provided. The Commission has discovered, however, that notice of the proceeding was not published in newspapers of general circulation throughout the state.

Pursuant to our January 11, 2000 Order, the Commission received comments on the proposed Regulations Governing Transfers of Transmission Assets to Regional Transmission Entities. Additionally, on March 16, 2000 the Commission issued a related Order requesting briefs concerning certain legal issues raised by parties filing such comments; briefs on these issues were to be filed on or before April 5, 2000.

Copies of the January 11, 2000 Order Prescribing Notice and Inviting Comments, together with the proposed regulations may be reviewed from 8:15 a.m. to 5:00 p.m., Monday through Friday, in the State Corporation Commission's Document Control Center located at 1300 East Main Street, Tyler Building, First Floor, Richmond, Virginia 23219, or may be reviewed at the Commission's website at [www.state.va.us/scc](http://www.state.va.us/scc).

On or before July 5, 2000, any interested party not having either noted an appearance in this proceeding or been included on the service list of the January 11, 2000, Order Prescribing Notice

and Inviting Comments may file with Joel H. Peck, Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia, 23218, an original and fifteen (15) copies of comments or request for further hearing on the proposed Regulations Governing Transfers of Transmission Assets to Regional Transmission Entities. Any request for further hearing should state with specificity the issues proposed to be addressed at such hearing and the evidence expected to be offered therein, and should explain why the issues raised cannot be accommodated by our consideration of the pleadings. All communications to the Commission concerning this matter should refer to Case No. PUE990349.

THE DIVISION OF ENERGY REGULATION OF THE  
VIRGINIA STATE CORPORATION COMMISSION

(3) A copy of this Order and the proposed regulations shall also be made available for public review in the Commission's Document Control Center, located on the First Floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, during its regular hours of operation, Monday through Friday, from 8:15 a.m. to 5:00 p.m., or may be accessed on the Commission's website at [www.state.va.us/scc](http://www.state.va.us/scc).

(4) This matter is continued pending further order of the Commission.